

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Banter David Brooks and Norma Jean Parrish**

a/k/a Norma Jean Brooks

**Case No. 11-81071**

S.S. Nos.: xxx-xx-9570 and xxx-xx-4166

Mailing Address: 3501 Brooks Road, Hillsborough, NC 27278-

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on June 30, 2011.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: July 20, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtors

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 5/10/11

Lastname-SS#: Brooks-9570

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral

## ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See t)
			**
			**
			**
			**
			**
			**
			**
			**
			**

## REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## STD - SECURED DEBTS at FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Vanderbilt		\$22,848	5.00	\$228	\$485.89	land, home
			5.00			
			5.00			
			5.00			

## STD - SECURED DEBTS at 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			5.00			
			5.00			
			5.00			
			5.00			
			5.00			

## ATTORNEY FEE (Unpaid part)

Law Offices of John T. Orcutt, P.C. \$3,283

## SECURED TAXES

IRS Tax Liens

Real Property Taxes on Retained Realty

## UNSECURED PRIORITY DEBTS

IRS Taxes

State Taxes

Personal Property Taxes

Alimony or Child Support Arrearage

CO-SIGN PROTECT (Pay 100%) Int. % Payoff Amt

All Co-Sign Protect Debts (See\*)

GENERAL NON-PRIORITY UNSECURED Amount\*\*

DMI= None(\$0) \$4,026

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ \$586 per month for 60 months, then

\$ N/A per month for N/A months.

Adequate Protection Payment Period: 5.96 months.

Sch D # - The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

\* May include up to 2 post-petition payments

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan MD (DeSardi Version 1/12/10) LOJTO

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum , the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum

Kaelyn McCollum

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

NC Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

NC Department of Justice  
for NC Department of Revenue  
Post Office Box 629  
Raleigh, NC 27602-0629

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

NCC Business Services  
Post Office Box 24739  
Jacksonville, FL 32241-4739

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Asbury Square Apartments  
202 Asbury Street  
Mebane, NC 27302

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Citifinancial  
104H Highway 54 Bypass W.  
Carrboro, NC 27510

Orange County Tax Collections\*\*  
PO Box 8181  
Hillsborough, NC 27278

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

CSDDUR  
Post Office Box 530  
Durham, NC 27702-0530

Palisades \*\*  
210 Sylvan Avenue  
Suite 1  
Englewood Cliffs, NJ 07632-2510

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

GreenTree\*\*\*  
Post Office Box 94710  
Palatine, IL 60094

RPM, Inc. \*\*  
Post Office Box 1548  
Lynnwood, WA 98046-1547

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Internal Revenue Service (MD)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

T-Mobile\*\*  
Bankruptcy Department  
Post Office Box 37380  
Albuquerque, NM 87176-7380

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Interstate Credit Collections  
Post Office Box 3136  
Winston Salem, NC 27102-3136

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Midland Credit Management \*\*  
Post Office Box 60578  
Los Angeles, CA 90060

Vanderbilt Mortgage\*\*  
Post Office Box 9800  
Attn: Managing Agent  
Maryville, TN 37802